

Minutes
Town of Lake Park, Florida
Town Commission Meeting
April 7, 2004 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Town Commission Meeting on Wednesday, April 7, 2004 at 7:30 p.m. Present were Mayor Castro, Vice-Mayor G. Chuck Balius, Commissioners Longtin, Carey, Daly and Garretson, Town Manager Doug Drymon, Town Attorney Thomas Baird and Town Clerk Carol Simpkins.

Mayor Castro called the Meeting to order at 7:30 p.m.

Minister Bobby Brooks, Jr. of Mount Calvary Baptist Church gave the Invocation.

Mayor Castro led the Pledge of Allegiance.

Deputy Town Clerk Stephanie Thomas performed the Roll Call.

ADDITIONS/DELETIONS

Item No. 19 Kelsey Club was removed from the Agenda.

MOTION: A motion was made by Commissioner Garretson to approve the April 7, 2004 Agenda as amended; Vice Mayor Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Vice Mayor Balius	X		
Commissioner Longtin	X		
Commissioner Otterson			Absent
Mayor Castro	X		

Motion passed 4-0.

RESOLUTION NO. 21-04-04

A RESOLUTION OF THE TOWN OF LAKE PARK, FLORIDA, CERTIFYING THE RESULTS OF THE RUN-OFF ELECTION HELD ON MARCH 23, 2004 FOR TOWN COMMISSION.

MOTION: A motion was made by Vice Mayor Balius to approve Resolution No. 21-04-04. Commissioner Longtin made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	X		
Commissioner Longtin	X		
Commissioner Otterson			Absent
Commissioner Garretson	X		
Mayor Castro	X		

Motion passed 4-0.

SWEARING IN CEREMONY

The Honorable Susan R. Lubitz swore in the following Commissioner Elects: Commissioner Ed Daly, and Commissioner Jeff Carey

ELECTION OF VICE MAYOR

MOTION: A motion was made by Commissioner Garretson to nominate Commissioner G. Chuck Balius as the Vice Mayor of the Town of Lake Park. Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Carey	X		
Commissioner Daly	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

Vice Mayor Balius expressed that it is with great pleasure that he serves as Vice Mayor once again.

DISCUSSION ITEM

Petition requesting reconsideration of enforcement of the Park Avenue Downtown District (PADD) Window Signage Code

Mayor Paul Castro specified that the intent of the Commission when direction was given to the Code Compliance Officer to enforce the Code was to promote the redevelopment of the Park Avenue District. Mayor Castro suggested the entire PADD is reviewed to make sure that it is fair and equitable to the business owners as well as to the adjacent neighborhoods.

Public Comment Opened.

The following speakers addressed the Commission:

John P. Little III, 2934 Westgate Avenue, requested leverage in the sign Code as it pertains to the PADD.

Roselyn Saunders, 211 East Ilex, does not want to see the small businesses leave Town due to the strict sign code.

Mario's Restaurant, 933 Park Avenue stated that she would like to see minor changes made to the Signage Code that would benefit the business owners.

Public Comment Closed.

There was general consensus among the Commission to hold a workshop to allow the merchants and the Town Commission the opportunity to come up with a reasonable resolution for both parties. The Commission directed Town Clerk Carol Simpkins to confirm the availability of all Town Commission members and determine a date and time for a workshop.

PRESENTATIONS:

Arbor Day Proclamation

Mayor Castro and the Town Commission presented a Proclamation to Public Works Director Paul Carlisle in honor of Arbor Day.

MOTION: A motion was made by Vice Mayor Balius to approve the Arbor Day Proclamation. Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balias	X		
Commissioner Daly	X		
Commissioner Carey	X		
Commissioner Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

PUBLIC COMMENT:

The following person(s) addressed the Commission;

Bert Bostrum, 1451 Flagler Boulevard indicated that Pro-Exel Britannia will host a free Soccer Clinic open to everyone on April 18, 2004. Ms. Bostrom concluded that there will also be a week long summer camp during the week of June 28-July 2, 2004.

Dorothy Taylor, 236 Cypress Drive congratulated Commissioners Daly and Carey on their election victories.

Diane Munroe, Hawthorne Drive submitted a public comment card to address the Commission in regards to the Kelsey Club. The item had been pulled from the Agenda.

CONSENT AGENDA

Commission Meeting Minutes of March 17, 2004

MOTION: A motion was made by Commissioner Garretson to approve the February 18, 2004 Commission Meeting Minutes. Vice Mayor Balias made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Vice Mayor Balias	X		

Commissioner Carey	X		
Commissioner Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

Change Order to Work Authorization No. 12 with Applied Technology Management (ATM)

Public Works Director Paul Carlisle informed the Commission that the purpose of the change order was for the Computer Automated Digital Drawings (CADD), certifications and bi-weekly inspections which need to be completed by a certified engineer.

The Town Commission expressed great concern with the \$18,000.00 quote that ATM proposed. The Town Commission feels that competitive pricing can and should be obtained.

MOTION: A motion was made by Commissioner Garretson to deny the ATM Change Order No. 12 and search for competitive pricing. Vice Mayor Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Vice-Mayor Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Mayor Castro	X		

Motion passed 5-0.

PUBLIC HEARING/S:

ORDINANCES ON SECOND READING/ADOPTION:

ORDINANCE NO. 09-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN

OF LAKE PARK, CHAPTER 7, ARTICLE VIII, "HOUSING CODE" , DIVISION 3, SECTION 7-97 ENTITLED "DEFINITIONS" TO PROVIDE ADDITIONAL DEFINITIONS; AMENDING SECTION 7-98 ENTITLED "GENERALLY" TO RENAME AS "PURPOSE AND AUTHORITY" AND ADD ADDITIONAL PROVISIONS PERTAINING TO HOUSING GENERALLY; AMENDING ARTICLE VIII, DIVISION 4, SECTION 7-100 ENTITLED "MINIMUM REQUIREMENTS FOR LIGHT AND VENTILATION" TO REVISE AND UPDATE LIGHT AND VENTILATION REQUIREMENTS; AMENDING SECTION 7-103 ENTITLED "MINIMUM DWELLING SPACE REQUIREMENTS" TO RENAME AS "OCCUPANCY LIMITATIONS" AND TO REVISE AND UPDATE OCCUPANCY LIMITATIONS; AMENDING SECTION 7-105 ENTITLED "ROOMING HOUSES" TO ADD ADDITIONAL REQUIREMENTS FOR ROOMING HOUSES; AMENDING SECTION 7-106 ENTITLED "DESIGNATION OF UNFIT DWELLINGS AND LEGAL PROCEDURE FOR CONDEMNATION" TO RENAME AS "UNSAFE DWELLINGS AND STRUCTURES" AND TO REPEAL EXISTING PROVISIONS AND ADOPT BY REFERENCE THE CONDEMNATION AND ABATEMENT PROCEDURES FOR UNSAFE DWELLINGS AS SET FORTH IN THE FLORIDA BUILDING CODE AND THE STANDARD UNSAFE BUILDING ABATEMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing opened.

No speakers.

Public Hearing closed.

Town Manager Douglas Drymon indicated that the Florida Legislature recently passed a new building Code that incorporates the terms of Ordinance No. 09-2004. The Commission noted that staff did a great job on the preparation of this Ordinance and feels that it will be effective with the proper enforcement.

MOTION: A motion was made by Commissioner Garretson to approve Ordinance No. 09-2004. Vice-Mayor Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Vice Mayor Balius	X		
Commissioner Carey	X		

Commissioner Daly	X		
Mayor Castro	X		

Motion passed 5-0.

ORDINANCES ON FIRST READING

ORDINANCE NO. 10-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, CHAPTER 32, ARTICLE I, SECTION 32-2 ENTITLED "DEFINITIONS" TO ADD DEFINITIONS; REPEALING SECTION 32-30 ENTITLED "COMMUNITY RESIDENTIAL HOMES RESTRICTED TO SPECIFIC DISTRICTS"; AMENDING CHAPTER 32, ARTICLE III, SECTION 32-46 ENTITLED "R-2 RESIDENCE DISTRICTS" TO PROVIDE FOR COMMUNITY RESIDENTIAL HOMES OF 7-14 RESIDENTS, WITH SEPARATION REQUIREMENTS; AMENDING SECTION 32-47 ENTITLED "R-3 RESIDENCE DISTRICTS" TO PROVIDE FOR COMMUNITY RESIDENTIAL HOMES OF 7-14 RESIDENTS, WITH SEPARATION REQUIREMENTS; AMENDING SECTION 32-48 ENTITLED "C-1-A BUSINESS DISTRICTS" TO PROVIDE FOR COMMUNITY RESIDENTIAL HOMES OF 7-14 RESIDENTS, WITH SEPARATION REQUIREMENTS; AMENDING SECTION 32-49 ENTITLED "C-1-B BUSINESS DISTRICTS" TO PROVIDE FOR COMMUNITY RESIDENTIAL HOMES OF 7-14 RESIDENTS, WITH SEPARATION REQUIREMENTS; AMENDING SECTION 32-51 ENTITLED "C-1 BUSINESS DISTRICTS" TO PROVIDE FOR SUBSTANCE ABUSE TREATMENT FACILITIES WITH SEPARATION REQUIREMENTS; AMENDING SECTION 32-55 ENTITLED "GENERAL PROVISIONS AND EXCEPTIONS"; CREATING NEW SECTION 32-59 ENTITLED "STATUS OF SUBSTANCE ABUSE TREATMENT FACILITIES AND COMMUNITY RESIDENTIAL HOMES"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Baird indicated that Ordinance No. 10-2004 only regulates the nature of group homes; however it does not prohibit a group home from operating. Town Attorney Baird stated that the Ordinance was drafted to have the effect of pivoting certain types of group homes from operating based on the zoning of that particular area.

Mayor Castro stated that he is aware that the Ordinance does not completely satisfy everyone; however it is all that the Town is capable of doing at this time.

MOTION: A motion was made by Vice Mayor Balius to approve Ordinance No. 10-2004; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balias	X		
Commissioner Daly	X		
Commissioner Carey	X		
Commissioner Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

QUASI-JUDICIAL PUBLIC HEARING(S): RESOLUTIONS

Deputy Town Clerk Stephanie Thomas swore in the witnesses.

The following Commissioners had no exparte communications to be declared.

Commissioner Daly

Commissioner Carey

Commissioner Garretson

Vice Mayor Balias

The following Commissioners had exparte communications to be declared.

Mayor Castro-Spoke with Dodi Glass the applicant's representative regarding the site plan and project.

RESOLUTION NO. 22-04-04

A RESOLUTION OF THE TOWN OF LAKE PARK, FLORIDA ACCEPTING AND APPROVING THE FINAL PLAT OF NORTHLAKE SQUARE WEST LOCATED ON THE SOUTHWEST CORNER OF NORTHLAKE BOULEVARD AND CONGRESS AVENUE WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF LAKE PARK AND THE CITY OF PALM BEACH GARDENS.

Public Hearing opened.

No speakers.

Public Hearing closed.

MOTION: A motion was made by Vice Mayor Balias to approve. Commissioner Ed Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Commissioner Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTIONS

RESOLUTION NO. 23-04-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH WEST CONSTRUCTION, INC. FOR THE TOWN PURCHASE OF MATERIALS REQUIRED IN THE CONSTRUCTION OF THE DOCK MASTER BUILDING AND PROVIDING AN EFFECTIVE DATE.

MOTION: A motion was made by Commissioner Garretson to approve Resolution No. 14-03-04. Vice Mayor Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Vice Mayor Balius	X		
Commissioner Carey	X		
Commissioner Daly	X		
Mayor Castro	X		

Motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION:

Board Appointments

Michael Scheihing, William Serrano, Eric Jahnke, Edie McConville were all reappointed to serve as regular members on the Planning and Zoning Board. James Dubois was reappointed as first alternate.

Request for meeting date for workshop for the Park Avenue Extension

There was consensus among the Town Commission for the Park Avenue Extension workshop to be combined with the PADD workshop. The workshop date is contingent upon the availability of the Town Commission members.

Set Date for the Independence Day Celebration

Community Affairs Director Dale Dougherty provided a brief detailed explanation of the benefits of holding the celebration before the fourth of July which should result in a larger crowd, more vendors and an improved fireworks display show.

MOTION: A motion was made by Commissioner Garretson to hold the Independence Day Celebration on Saturday, July 3, 2004. Commissioner Ed Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice Mayor Balias		X	
Mayor Castro	X		

Motion passed 4-1.

Vice Mayor Balias believes that Independence Day should be celebrated on July 4, 2004.

Set date for the official renaming of the Sixth Street Ball Fields

Commissioner Daly suggested that the date of the official renaming of the Sixth Street Ball Fields to be held on April 17, 2004 at noon.

MOTION: A motion was made by Commissioner Daly to set the date of the official renaming of the Sixth Street Ball Fields to be held on April 17, 2004 at noon. Vice Mayor Balias made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Daly	X		
Vice Mayor Balias	X		
Commissioner Carey		X	
Commissioner Garretson	X		
Mayor Castro	X		

Motion passed 4-1.

Community Development Block Grant Phase II E Construction Bid Award

MOTION: A motion was made by Vice Mayor Balias to approve the Community Development Block Grant Phase II. Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balias	X		
Commissioner Daly	X		
Commissioner Carey	X		
Commissioner Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

Community Development Block Grant Phase II E Construction Bid Award Amendment 001

MOTION: A motion was made by Vice Mayor Balias to approve the Community Development Block Grant Phase II amendment 001. Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balias	X		
Commissioner Daly	X		
Commissioner Carey	X		
Commissioner Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

COMMENTS BY COMMISSION, TOWN MANAGER AND TOWN ATTORNEY

Mayor Castro

Mayor Castro indicated that an Employee of the Year program needs to be implemented or a policy setting the criteria as to when a person should receive a proclamation. He requested a status on the Park Avenue BBQ project. Mayor Castro expressed concern with Venetian Isles not meeting their end of the agreement. He indicated that no certificates of occupancy should be issued until a member of their management team comes before the Commission to address the current issues. He concluded by suggesting the presentation of proclamations for former Commissioners Longtin and Otterson. The Mayor and Town Commission welcomed the new Commissioners.

Vice Mayor Balias

Vice Mayor Balias suggested that there should be a discussion traffic calming devices at the Park Avenue Extension workshop. Vice Mayor Balias indicated that he would like to see changes in the medians in the commercial area on Park Avenue. Vice Mayor Balias stated that he is not pleased with the pricing that Florida Power and Light quoted for the Decorative Lights.

Commissioner Garretson

Commissioner Garretson commented on the appearance of the Target building.

Commissioner Daly

Commissioner Daly inquired about the Public Works equipment. He requested information on the joint meeting between the Town of Lake Park and the City of Palm Beach Gardens regarding Target. He also expressed concern with the policing of the Marina.

Commissioner Jeff Carey

Commissioner Carey requested information on Resolutions and policies pertaining to the naming of public parks.

Town Manager Drymon

Town Manager Drymon indicated that there has been discussion and review of the Palm Beach County Sheriff's office budget as it pertains to the hiring of additional deputies and services.

Town Attorney Baird

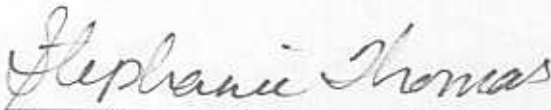
Town Attorney Thomas Baird requested an Attorney-Client Session to discuss pending litigations pertaining to the Firefighters Pension case.

ADJOURNMENT:

There being no further business to come before the Commission, after a motion to adjourn by Vice Mayor Balus, seconded by Commissioner Daly, and by unanimous vote, the meeting adjourned at 9:20 p.m.



Mayor Paul Castro



Deputy Town Clerk, Stephanie Thomas

Approved on this 21st day of April 2004.